



Practitioner's Docket No. CPI 40043H

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____ Inventor(s)

for _____ Title of invention

OR

In re application of:

Application No.: 010/615,627

Group Art Unit:

Filed: July 9, 2003

Examiner:

For: Apparatus for Decreasing Skip Coating on a Paper Web

Assistant Commissioner for Patents
Washington, D.C. 20231

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. § 1.97(b).

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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☒ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: Sept. 8, 2003

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Deborah Konicki
Signature

Deborah Konicki
(type or print name of person certifying)

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]—page 1 of 2)

NOTE: The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

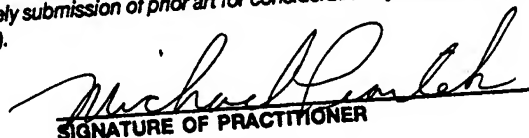
NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).


SIGNATURE OF PRACTITIONER

Michael Piontek

(type or print name of practitioner)

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(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]—page 2 of 2)



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wayne A. Damrau

Serial No.: 10/615,627

Filed: July 9, 2003

Title: Apparatus for Decreasing Skip
Coating on a Paper Web

Atty Docket: CPI 40043H

Examiner:

Group Art Unit:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT - 37 C.F.R. §1.97(b)

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449
together with copies of the documents cited on that form. It is respectfully

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 8, 2003.

Deborah Konicki
Deborah Konicki

requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant.

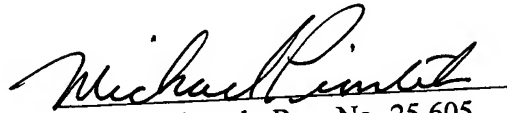
The art identified in this Information Disclosure Statement is the totality of that made of record in the prosecution of the parent of the subject application and in the prosecution of all of the ancestor applications in the lineage of the parent. Applicant identified some of the listed art to the Patent Office, while the remainder was cited by the Patent Office. A number of the patents cited by the Patent Office were not cited to support rejections of claims, but were simply made of record. Applicant has not studied the patents that were not cited in the support of rejections of claims and makes no representations as the relevance of the teachings of such patents to the claims to the instant invention. It is not applicant's intention to mislead the Patent Office by citing art in this Information Disclosure Statement that, upon study, may prove to be not relevant to the claimed invention. Rather, applicant wishes to make known to the Patent Office all of the art that became of record in earlier applications, since by doing so applicant believes that he is fulfilling his duty of candor to disclose to the Patent Office all prior art of which he is aware and that may be relevant to his invention.

Pursuant to 37 C.F.R. §197(h), the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. §1.97, this Information Disclosure Statement is being submitted under 37 C.F.R. §1.97(b).

Should any fee be required, please charge Account No. 10-1324.

Respectfully submitted,


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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

$$-1 \neq 0 \neq 2 \leq 3 \neq 1 \neq 0 \neq 5 \neq 0 \neq 8/5$$
Complete if Known

Application Number	10/615,627
Filing Date	July 9, 2003
First Named Inventor	Wayne A. Damrau
Group Art Unit	
Examiner Name	
Attorney Docket Number	CPI 40043H

Sheet	1	of	1
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U.S. PATENT DOCUMENTS

U.S. PATENT DOCUMENTS				Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
Examiner Initials*	Cite No.¹	U.S. Patent Document Number Kind Code² (Justices)	Name of Patentee or Applicant of Cited Document		
	A1	3,991,238	Fleissner	11/76	
	A2	4,143,190	Choinski	03/79	
	A3	4,290,791	Matsui et al.	09/81	
	A4	4,299,188	Isayama et al.	11/81	
	A5	4,324,820	Weldon	04/82	
	A6	4,534,309	Damrau et al.	08/85	
	A7	4,643,746	Suzuki et al.	02/87	
	A8	4,868,017	Hammon et al.	09/89	
	A9	5,105,760	Takahashi et al.	04/92	
	A10	5,186,752	Nakazawa et al.	02/93	
	A11	5,302,206	Shibata et al.	04/94	
	A12	5,376,178	Sato	12/94	
	A13	5,380,365	Hirshburg	01/95	
	A14	5,436,030	Damrau	07/95	
	A15	5,603,767	Damrau	02/97	
	A16	5,789,023	Damrau	08/98	
	A17	5,968,270	Damrau	10/99	
	A18	6,319,552	Damrau	11/01	
	A19	6,592,669	Damrau	07/03	

FOREIGN PATENT DOCUMENTS

[illegible]

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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